

REMARKS

The Final Office Action mailed March 13, 2007 has been carefully considered.

Reconsideration in view of the following remarks is respectfully requested.

Claim Status and Amendment to the Claims

Claims 1-3, 6-10, 12-33, 36-40, 42-43, 45-46, and 48-64 are now pending.

No claims stand allowed.

Claims 13-30 have been withdrawn from consideration as the result of an earlier restriction requirement.

Claims 1-2, 6, 31-32, 36, 43, 45, 46, 48-56, 58, 59, and 61-64 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification at pages 4-32 and FIGs. 1-5. The text of claims 3, 33, 7-12, 37-42, 57, and 60 is unchanged, but their meaning is changed because they depend from amended claims.

Claims 4-5, 34-35, 44, and 47 were previously cancelled, without prejudice or disclaimer of the subject matter contained therein.

New claims 65-76 also particularly point out and distinctly claim subject matter regarded as the invention. Support for these claims may be found in the specification at pages 4-32 and FIGs. 1-5.

In view of the Examiner's earlier restriction requirement, the Applicants retain the right to present claims 13-30 in a divisional Application.

Objections to the Claims

The claims stand objected to for various informalities.¹ With this Amendment, Claims 1-2, 6, 31-32, 36, 43, 45, 46, 48-56, 58, 59, and 61-64 have been amended accordingly. It is respectfully submitted the claims as presently amended satisfy the statutory requirements. Withdrawal of the rejection to the Claims is respectfully requested.

The First 35 U.S.C. § 102 Rejection

Claims 1-3, 31-33, 43, 46, 51, 53 and 55-64 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Ben-Dor et al.^{2 3} This rejection is respectfully traversed.

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.⁴

The Examiner states:

... Ben-Dor discloses ... a polling routing configured to poll each of possible USB device adapters connected to the network in accordance with a candidate list, and create a master list of the USB device adapters which respond to the polling (at least ¶136 and 166-172) ...⁵

The Applicants respectfully disagree. In support of the Examiner's statement, the Examiner refers to the following portion of Ben-Dor et al.:

The network host may send an RPS Announcement Packet Request to an RPS. In one embodiment, this packet is transported through use of TCP and is addressed

¹ Office Action mailed March 13, 2007 at ¶ 4.

² U.S. Publication No. 2002/0141418 to Ben-Dor et al.

³ Office Action at ¶ 6.

⁴ Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

⁵ Office Action at ¶ 7.

to the RPS through use of an IP address. *This request is used in special cases where a network host has not received an RPS Announcement packet (RAP) multicast.* When an RPS receives a RAP Request, it sends out a RAP multicast to all interested network hosts. Note that there is no tunneling specific data associated with an RPS Announcement Packet (RAP) Request (only the common tunneling header).⁶

An RPS Announcement Packet (RAP) may include the following general types of information:

- Source IP Address of the RPS generating the RAP;
- Globally unique identifier of the RPS generating the RAP;
- Current "generation" count of the local bus (number of times a bus reconfiguration has occurred);
- Status of the local USB or IEEE-1394 node (e.g. IEEE-1394 local node is Bus Manager, Isoch Resources Manager, ROOT, etc.);
- Topology map and configuration of the local USB or IEEE-1394 bus (e.g., for IEEE-1394, topology map, configuration ROMs of all devices attached to the IEEE-1394 bus); and
- Current network "owners" of each device connected to the local USB or IEEE-1394 bus (i.e. IP address of network "owners").⁷

Thus, Ben-Dor et al. discloses polling or sending an RPS packet announcement request to an RPS only in special cases where a network host has not received an RPS Announcement packet (RAP) multicast. In Ben-Dor et al., an RPS packet announcement request is not sent if the network host has already received an RPS Announcement packet (RAP) multicast, even though RPS that sent the RAP multicast was a possible USB device adapter. Whereas Claim 1 as presently amended requires polling each of possible USB device adapters connected to the network in accordance with a candidate list.

Furthermore, Ben-Dor et al. does not disclose creating a master list of the USB device adapters which responded to the polling as required by presently amended Claim 1. The Examiner states:

... Ben-Dor discloses that each RPS that has not sent an RAP multicast is polled (at least ¶136). The list of RPS's that have not sent an RAP multicast to the host is a "candidate list". The host will poll each of these RPS's to request an RAP

⁶ Ben-Dor et al. at ¶ 136. (emphasis added)

⁷ Ben-Dor et al. at ¶¶ 166-172.

containing an IP address and an identifier of each USB device connected to the RPS (at least ¶166-172). The information from the other RPS's (the ones that have already responded) is already stored at the host, and the newly received information is added to complete a "master list".⁸

The Examiner's statement presumes that all information in the "master list" of Ben-Dor et al. was obtained as a result of polling all possible RPS's. On the contrary, Ben-Dor et al. discloses polling only in the exceptional case in which the required information has not already been obtained by other means. Thus the master list of Ben-Dor et al. in the typical case would comprise information obtained from RPS's without polling the RPS's. And an exceptional case, the master list of Ben-Dor et al. would comprise both information obtained from some RPS's without polling the RPS's, and information from some other RPS's by polling. In either case, Ben-Dor et al. does not teach creating a master list of the USB device adapters which responded to the polling as required by presently amended Claim 1. With this Amendment, Claim 1 has been amended to make this distinction more clear. Thus, the 35 U.S.C. § 102 rejection of Claim 1 is unsupported by the art of record.

Independent Claims 31, 43, 45, 46, 55, 58, 61, and 63

With this Amendment, independent claims 31, 43, 45, 46, 55, 58, 61, and 63 have been amended corresponding to the amendments made to Claim 1. Thus, the arguments made above with respect to Claim 1 apply here as well. Claim 1 being allowable, Claims 31, 43, 45, 46, 55, 58, 61, and 63 must also be allowable.

⁸ Office Action at ¶ 2.

Dependent Claims 2-3, 32-33, 51, 53, 56-57, 59-60, 62, and 64

The base claims being allowable, dependent claims 2-3, 32-33, 51, 53, 56-57, 59-60, 62, and 64 must also be allowable for at least the same reasons.

The First 35 U.S.C. § 103 Rejection

Claims 6-10, 12, 36-40, 42, 45, 48-50, 52 and 54 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ben-Dor et al. in view of Krishnan,⁹ among which claims 6, 36, 45 and 48 are independent claims.¹⁰ This rejection is respectfully traversed.

According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.¹¹

Claim 6

Claim 6 defines an Internet gateway comprising a port for connecting to the Internet, and a universal serial bus (USB) remote host control driver. The claimed USB remote host control driver includes, among others, a polling routine configured to poll each of possible USB device adapters connected to the local network in accordance with a candidate list, and create a master list of only the USB device adapters which responded to the polling, as recited in claim 6 as amended.

⁹ U.S. Patent No. 6,157,950 to Krishnan.

¹⁰ Office Action at ¶ 17.

¹¹ M.P.E.P § 2143.

In the Office Action, the Examiner alleges that the elements of the presently claimed invention are disclosed in Ben-Dor et al., except that Ben-Dor et al. does not teach Internet gateway containing the USB remote host control driver. The Examiner further contends that Krishnan teaches connecting peripheral devices to a local area network and providing an Internet gateway to enable remote access to the peripherals via the Internet and that it would be obvious to one having ordinary skill in the art at the time of the invention to incorporate Krishnan into Ben-Dor et al. in order to enable the USB devices via the Internet. The Applicants respectfully disagree for the reasons set forth below.

As discussed above, Ben-Dor et al. fails to teach or suggest a polling routine configured to poll each of possible device adapters connected to the network in accordance with a candidate list, and created a master list of only the device adapters which responded to the polling create a master list of the device adapter which responded to the polling, as recited in claim 6, as well as claim 1. Krishnan only allegedly teaches connecting peripheral devices to a local area network and providing an Internet gateway, and thus does not teach or suggest the claimed polling routine. Thus, Ben-Dor et al., whether considered alone or combined with or modified by Krishnan, does not teach or suggest the claimed polling routine.

Claim 36

Claim 36 also includes substantially the same distinctive features as claim 6, and thus the argument set forth above is equally applicable.

Claims 45 and 48

Claims 45 and 48 are means-plus-function claims corresponding to apparatus claims 6 and 36, respectively. Thus, the arguments made with respect to Claims 6 and 36 apply here as well. Claims 6 and 36 being allowable, Claims 45 and 48 must also be allowable.

Dependent Claims 7-10, 12, 37-40, 42, 49-50, 52, and 54

The base claims being allowable, dependent claims 7-10, 12, 37-40, 42, 49-50, 52, and 54 must also be allowable for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims based on Ben-Dor et al. and Krishnan be withdrawn.

The Second 35 U.S.C. § 103 Rejection

Claims 11 and 41 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ben-Dor et al. in view of Krishnan,¹² and further view of Gottfurcht et al.¹³ This rejection is respectfully traversed.

Claim 11 depends from Claim 6. Claim 41 depends from Claim 36. As mentioned above, the 35 U.S.C. § 103 Rejection of Claims 6 and 36 based on Ben-Dor et al. in view of Krishnan is unsupported by the art of record because Ben-Dor et al. in view of Krishnan does not teach all claim limitations. Therefore, the 35 U.S.C. § 103 Rejection of dependent claims 11 and 41 based on Ben-Dor et al. in view of Krishnan and further in view of Gottfurcht et al. is also unsupported by the art of record.

¹² U.S. Patent No. 6,157,950 to Krishnan.

¹³ U.S. Patent No. 6,611,881 to Gottfurcht et al.

Accordingly, it is respectfully requested that the rejection of claims based on Ben-Dor et al. and Krishnan and further in view of Gottfurcht et al. be withdrawn. In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

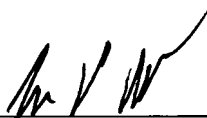
If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

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